

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NEALY L. SKELDON,)	
)	
Plaintiff,)	
)	Case No.: 25-cv-06078
v.)	
)	
DERMACARE USA CORPORATION, d/b/a)	
“DERMACONCEPTS,” a Massachusetts)	
Corporation, ROBERT LEWIS TROW, an)	
individual; CAROL SIMRA TROW, an individual,)	Hon. Joan B. Gottschall
MICHAEL LUCICH, an individual; and)	Magistrate Judge Jeffrey T. Gilbert
BRITTANY PIKE, an individual,)	
)	
Defendants.)	

**DERMACARE USA CORPORATION d/b/a DERMACONCEPTS’
OPPOSED MOTION TO STAY OBLIGATION TO ANSWER
COUNTS NOT SUBJECT TO RULE 12 MOTIONS**

Defendant DermaCare USA Corporation d/b/a/ DermaConcepts (“DermaConcepts”) for its motion to stay its obligation to answer remaining counts in Plaintiff’s Complaint, states as follows:

1. Plaintiff filed her Complaint in this action on May 27, 2025 against all defendants.
2. Defendants accepted service of the Complaint in this action on May 29, 2025, and removed this case to federal court the next day, on May 30, 2025.
3. According to Federal Rule of Civil Procedure 81(c)(2), Defendants’ current deadline to answer or otherwise plead is 21 days after the date of service, which is Thursday, June 19, 2025. However, this Court also recognizes June 19, 2025 as Juneteenth National Independence Day, which extends the deadline for Defendants to answer or otherwise plead until Friday, May 20, 2025. See <https://www.ilnb.uscourts.gov/court-info/court-holidays>.
4. DermaConcepts intends to file a Rule 12(b)(6) motion to dismiss certain of the Counts set forth in Plaintiff’s Complaint on or before May 20, 2025.

5. DermaConcepts seeks an order granting it 21 days following a decision on its forthcoming Rule 12(b)(6) motion to answer or otherwise plead in response to any remaining Counts in the Complaint. DermaConcepts files this request in the interest of judicial economy and to avoid potentially duplicative pleadings.

6. Courts in this district routinely allow similar requests. *See Oil Express Nat., Inc. v. D'Alessandro*, 173 F.R.D. 219, 221 (N.D. Ill. 1997) (finding that “a partial motion to dismiss allows for altering the limits of Fed.R.Civ.P. 12(a) with respect to answering those claims not addressed in Defendants’ motion”); *Intercom Ventures, LLC v. FasTV, Inc.*, Case No. 13 C 232, 2013 WL 2357621 at *7 (N.D. Ill. May 28, 2013) (holding that “because the Defendants here filed a timely Rule 12(b)(6) motion that does not challenge all of Intercom’s claims, Defendants are not required to file an answer to Count III until . . . after the Court has issued this Order”).

7. This request is made in good faith and is not being brought for the purposes of delay.

8. Counsel for DermaConcepts has conferred with Plaintiff’s counsel, who does oppose this request.

WHEREFORE, Defendant DermaConcepts respectfully requests that this Court grant this motion and stay its deadline to answer any remaining Counts in the Complaint until 21 days following a ruling on its forthcoming motion to dismiss.

Dated: June 16, 2025

Respectfully submitted,

DERMACARE USA CORPORATION,
d/b/a/ DERMACONCEPTS,

By: /s/ Richard R. Winter

One of Its Attorneys

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